

PERMIT CHECK LIST

The following people have reviewed the permit:

Reviewing Permitting Engineer: _____

Air Inspector: _____

Air Compliance Manager: _____

Date: April 14, 2008

Source Name: Cogentrix Virginia Leasing Registration No: 61049 Id. No.: 51-740-00081

Source Location: One Wild Duck Lane, Portsmouth

Mail Address: One Wild Duck Lane, Portsmouth, VA 23703

Source Status: _____ Greenfield ☒ Currently operating

Source Classification: _____ Minor _____ SynMinor _____ State Major ☒ PSD Major ☒ TV Major

Permit Action: (Describe new/modified equipment and/or processes, include maximum rated capacities) The facility is requesting to remove the sulfur content limit in the current PSD permit and replace it with a CEMS for SO₂. The sulfur content limit will remain in effect until the new flue gas desulphurization system becomes operational. At that time the CEMS will be used to determine compliance with the SO₂ emission limit.

Permit Action Program:

☒ NSR _____ SOP _____ TV _____ Maj HAP

Permit Action Type:

_____ New / Article 6 Modification (delete one) ☒ Significant Amendment/Modification

_____ Minor Amendment/Modification _____ Administrative Amendment _____ Renewal

_____ State Major ☒ PSD _____ Non-Attainment _____ General

Y (Y/N) Permit Includes All Emission Units at Source.

N (Y/N) Permit Allows Source to avoid Title V/MACT/etc.

After this permit, source is: ☒ Major (A) _____ Minor (B) _____ Synthetic minor (SM)
(SO₂ Pollutant, NO_x Pollutant, CO Pollutant)

Permit Application Review

☒ Permit application submitted, or _____ Letter Request

Application Received Date: June 12, 2007

Application Complete Date: February 29, 2008

Permit Deadline Date: May 29, 2008

☒ Document Certification Form received

N Confidential information with sanitized copy. If yes, which sections:

_____ throughputs _____ individual pollutants _____ flow diagrams _____ calculations

_____ process descriptions _____ other (describe)

If yes, has claim been accepted by DEQ? (Y/N) - Date of letter:

NA Copy of letter from local official for greenfield, or major modified sources

NA Copy of letter sent to FLM if applicable. (Comments)

NA Notification of Affected State(s)

This permit supersedes permit(s) dated December 23, 1986, amended July 26, 1999.

Regulatory Review (cont.)

Regulatory Review

BACT Determination (check one):

☒ Flue Gas Desulphurization System @ 70 % efficiency for the control of SO2 meets BACT
(Comments) _____, or

☐ TV/SOP/BACT not applicable. (Explain) _____

Y (Y/N) NSPS/MACT/NESHAPS Applicability: If Y, Subpart(s):

Db NSPS

_____ MACT

_____ NESHAPS

N (Y/N) Existing Rules (9 VAC 5 Chapter 40) Applicability: If Y, Rule(s):

Toxic Pollutants (check one):

☐ Exempt, or ☐ in compliance with 9 VAC 5-60-320, or ☒ not evaluated (**Reminder: remember to change the regulation to 9 VAC 5-60-220 when doing a SOP for existing sources**).

[Comments: _____]

Modeling (check one):

☐ Attached (including background monitors), or

☐ Copy of approval letter from modeling section,

☒ No modeling required by agency policy (< modeling significance levels, etc.)

Site Suitability:

☒ Site suitable from an air pollution standpoint, inspection date July 7, 2007, or no inspection required because _____.

☒ Calculation sheet(s) attached (supplied by the facility for SO2 emissions and verified by DEQ)

N (Y/N) NSR Netting _____ Comments (Explain Permit History):

N (Y/N) (CAM) Compliance Assurance Monitoring Applicable

Permit includes: ☐ Stack Testing ☒ CEM ☐ VEE by source

Public Participation

Y (Y/N) Public Noticed. If yes, Public Notice Date:

N (Y/N) Public Notice Comments. If yes, number and nature of comments:

N (Y/N) Public Hearing. If yes, Public Hearing Date:

EPA Review

N (Y/N) EPA Review. If yes, Date proposed permit sent to EPA _____.

N (Y/N) EPA Comments. If yes, give a brief summary _____.

Other Comments and Final Recommendations (attach memo or list below):

Comments: The facility is adding a flue gas desulphurization system to reduce the SO2 from their boilers and also are requesting to increase the sulfur content from 0.95% to 2.0%. Since the only change to the fuel is the sulfur, SO2 is the only potential increase and therefore doesn't trip BACT under Article 6. By adding the flue gas desulphurization system, the only criteria pollutant that will change is a reduction in SO2. All other pollutants will remain with no increase or decrease.

Regulatory Review (cont.)

Condition 8 was added to incorporate the flue gas desulphurization system as control equipment. Conditions 19 – 22 were added to incorporate the CEMS for SO₂. The only condition that changed from the 1986 PSD permit was condition 13 of the 1986 PSD permit to change the sulfur content from 0.95% to 2.0%. Condition 13 of this permit requires that they facility use 0.95% sulfur coal until the flue gas desulphurization system comes online. This change will not increase the SO₂ as the flue gas desulphurization system will reduce the SO₂ significantly.

Because this action does not incorporate any physical change to equipment or change in the method of operation with a net emission increase, this is not considered a modification under article 6 or article 8. However, this permit action does significantly change reporting, monitoring, and recordkeeping requirements, therefore this is a PSD significant amendment and will need to go to public notice.

PSD Determination

The facility has requested that, in order to give them flexibility in the coal that they can use, the %sulfur be removed. Because the %sulfur was BACT in the 1986 PSD permit, we could not remove it. The facility then requested that the %sulfur be increased from 0.95 to 2.0 and change BACT to the scrubbers.

PSD Calculations SO₂:

SO₂ emissions (lb/mmBTU) = 38 (SO₂ EF)lbs/ton x 2.0(Sulfur%) x 1lb/11,875Btu x 10⁶Btu/mmBTU x 1ton/2000lbs

SO₂ emissions (lb/mmBTU) = 3.2 lbs/mmBTU x 0.3 (Control Eff) = 0.96 lbs/mmBTU

3.2 lbs/mmBTU x 200 mmBTU/hr x 0.3 (Control Eff) = 192 lbs/hr SO₂

192 lbs/hr x 8760 hr/yr x 1 ton/2000 lbs = 841 tons/yr SO₂

ARTICLE 6 Determination

Article 6 permit applicability calculations for SO₂:

SO₂ emissions (lb/mmBTU) = 38 (SO₂ EF)lbs/ton x 2.0(Sulfur%) x 1lb/11,875Btu x 10⁶Btu/mmBTU x 1ton/2000lbs

3.2 lbs/mmBTU x 200 mmBTU/hr = 640 lbs/hr SO₂ uncontrolled

SO₂ emissions (tons/yr) = 2803.2 tons/yr SO₂ uncontrolled

Given max emissions at 8760 hrs/yr, a permit is required under Article 6.

Article 6 BACT Determination:

3.2 lbs/mmBTU x 200 mmBTU/hr x 0.3 (Control Eff) = 192 lbs/hr SO₂

Regulatory Review (cont.)

$3.2 \text{ lbs/mmBTU} \times 71832 \text{ tons coal/yr} \times 11,875 \text{ btu/lb} \times 1 \text{ mmBTU}/10^6 \text{ Btu} \times 0.3 \text{ (Control Eff)} = 841 \text{ tons/yr SO}_2$

By changing BACT from the %sulfur to the desulphurization system, the PSD NEI of -513.5 tons/yr is a reduction of SO₂ from 1331.5 tons/yr to 818 tons/yr. This action is not considered a PSD modification by definition but is a significant amendment since a change in BACT and the addition of the new SO₂ CEMS are considered a change in a case by case determination. Because there is a reduction in SO₂ emissions with the added control equipment, this satisfies BACT.

There are no changes to any of the permitted emission limits. There is a change in the reporting, recordkeeping and monitoring since the facility will be changing to a CEMS for SO₂ emissions. The facility will continue to have recordkeeping for sulfur content limit requirement and recordkeeping/reporting requirements for the sulfur. This permit action is not considered an Article 6 modification by definition but is a significant amendment because of the change in recordkeeping. Because this action does not increase emissions, it is not necessary to determine the NEI. It is, however, considered a significant amendment by definition.

Condition #15 of the 1986 PSD permit has been removed. There are no regulations, either federal or state, that require stack testing when CEMS are in use. The CEMS will be certified for the SO₂ CEMS and have been certified for the opacity and NO_x CEMS by requirement of 40 CFR Part 75. After discussing the stack testing that is in the current PSD permit with compliance, it was determined that because the CEMS provide continuous monitoring, this makes the permit more stringent. Therefore the condition # 15 of the 1986 PSD permit can be removed.

New condition #3 requires that the flue gas desulphurization system for SO₂ be in operation at all times when the 6 boilers are operating.

PM doesn't change in an Article 6 point of view. Since the only change to the fuel is the sulfur, SO₂ is the only potential increase and therefore doesn't trip BACT of review under Article 6. Therefore, PM is not reviewed or changed.

Regulatory Review (cont.)

Final Recommendation: Recommend Approval.

Environmental Engineer's Signature: _____

Air Permit Manager's Signature: _____

DRAFT

Mr. Gary Hughes
General Manager
Cogentrix Virginia Leasing Corporation
1 Wild Duck Ln
Portsmouth, VA 23703

Location: Portsmouth
Registration No.: 61049

Dear Mr. Hughes:

Attached is a significant amendment to your PSD permit dated [July 26, 1999](#) and [December 23, 1986](#) to operate a fossil fuel electric power generation facility in accordance with the provisions of the Virginia Regulations for the Control and Abatement of Air Pollution. This permit supersedes your permit dated July 26, 1999.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and/or civil charges. Please read all permit conditions carefully.

The Department of Environmental Quality (DEQ) deemed the application complete on February 29, 2008 and has determined that the application meets the requirements of 9 VAC 5-80-1290 A for a significant amendment to a PSD permit. The Department solicited written public comments by placing a newspaper advertisement in the [\[insert name of newspaper\]](#) on [\[insert date of publication\]](#). The required comment period provided by 9 VAC 5-80-1170 D expired on [\[insert date comment period ended\]](#).

This permit approval to operate shall not relieve Cogentrix Virginia Leasing Corporation of the responsibility to comply with all other local, state, and federal permit regulations.

[The Board's Regulations as contained in Title 9 of the Virginia Administrative Code 5-170-200](#) provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this case decision notice was mailed or delivered to you. [9 VAC 5-170-200](#) provides that you may request direct consideration of the decision by the Board if the Director of the DEQ made the decision. Please consult the relevant regulations for additional requirements for such requests.

[As provided by Rule 2A:2 of the Supreme Court of Virginia](#), you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever

occurred first, within which to initiate an appeal of this decision by filing a Notice of Appeal with:

David K. Paylor, Director
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218-1105

If this permit was delivered to you by mail, three days are added to the thirty-day period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for information on the required content of the Notice of Appeal and for additional requirements governing appeals from decisions of administrative agencies.

A copy of the results of performance tests required by 40 CFR 60, Subpart Db shall to be sent to:

Associate Director
Office of Air Enforcement (3AP10)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029]

If you have any questions concerning this permit, please contact Cindy Keltner at (757) 518-2167.

Sincerely,

Jane A. Workman
Air Permit Manager

JAW/CLK/Cogentrix_PSD_Sigamend_2007

Attachments: Permit
NSPS, Subpart Db
Source Testing Report Format

cc: Director, OAPP (electronic file submission)
Manager, Data Analysis (electronic file submission)
Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III
Manager/Inspector, Air Compliance

**PREVENTION OF SIGNIFICANT DETERIORATION PERMIT
STATIONARY SOURCE PERMIT TO INSTALL AND OPERATE
This permit includes designated equipment subject to
New Source Performance Standards (NSPS).**

This permit supersedes your permit dated December 23, 1986, amended July 26, 1999.

In compliance with the Federal Clean Air Act and the Commonwealth of Virginia
Regulations for the Control and Abatement of Air Pollution,

Cogentrix Virginia Leasing Corp.
1 Wild Duck Lane
Portsmouth, VA 23703
Registration No.: 61049

is authorized to install and operate

a steam-electricity cogeneration facility

located at

1 Wild Duck Lane, Portsmouth, VA

in accordance with the Conditions of this permit.

Approved on DRAFT.

Francis L. Daniel

Permit consists of 9 pages.
Permit Conditions 1 to 21, General Conditions 1 to 20.

INTRODUCTION

1. This permit approval is based on the permit applications dated June 11, 2007 and March 25, 1986, including amendment information dated July 20, 1999, and supplemental information dated October 2, 2007, August 14, 2007, and February 29, 2008. Any changes in the permit application specifications or any existing facilities which alter the impact of the facility on air quality may require a permit. Failure to obtain such a permit prior to construction may result in enforcement action.

Words or terms used in this permit shall have meanings as provided in 9 VAC 5-10-10 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. The regulatory reference or authority for each condition is listed in parentheses () after each condition.

Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the DEQ or the Board for information to include, as appropriate: process and production data; changes in control equipment; and operating schedules. Such requests for information from the DEQ will either be in writing or by personal contact.

The availability of information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, § 2.2-3700 through 2.2-3714 of the Code of Virginia, § 10.1-1314 (addressing information provided to the Board) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal law and regulations governing confidentiality of such information.

PROCESS REQUIREMENTS

2. **Equipment List** - Equipment at this facility consists of the following:

Equipment to be operated			
Equipment Description	Rated Capacity	Federal Requirements	Original Permit Date
Six (6) Foster-Wheeler stoker steam generators/1986	175,000 lbs steam/hour 200 mmBtu/hour heat input	40 CFR 60, Subpart Db	12/23/86 amended 7/26/99
Coal handling system comprised of a barge unloader, covered conveyors, and six (6) coal bunkers	Coal Storage Bunkers – 270 tons/hr Barge unloader and covered conveyors – 600 tons/hr	NA	12/23/86 amended 7/26/99
Two (2) Ash silo systems comprised of pneumatic conveyor, ash silos, and truck load out system	4 tons/hr (each)	NA	12/23/86 amended 7/26/99

Specifications included in the permit under this Condition are for informational purposes only and do not form enforceable terms or conditions of the permit.
(9 VAC 5-80-1180 D 3)

3. The cogeneration facility shall consume no more than 430,992 tons per year of coal as fuel for the six steam generators.
(9 VAC 5-80-1180, 9 VAC 5-170-160, and 9 VAC 5-50-280)

4. Emissions from the operation of each of the six steam generators shall not exceed the limitations specified below:

Particulate Matter	0.03 lbs/10 ⁶ Btu	5.9 lbs/hr	26.0 tons/year
Sulfur Dioxide	0.96 lbs/10 ⁶ Btu	192 lbs/hr	841 tons/year
Volatile Organic Compounds	0.003 lbs/10 ⁶ Btu	0.6 lbs/hr	2.5 tons/year
Nitrogen Dioxide	0.6 lbs/10 ⁶ Btu	120.0 lbs/hr	525.6 tons/year
Carbon Monoxide	0.6 lbs/10 ⁶ Btu	120.0 lbs/hr	525.6 tons/year

(9 VAC 5-50-280)

5. Emissions from the operation of the coal barge unloader, coal storage load-in, and coal storage piles shall not exceed the limitations specified below:

Particulate Matter	0.22 lbs/hr	0.65 tons/yr
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These numerical emission limits are derived from the estimated overall emission contribution, and serve to outline the facility being permitted. These emissions are not intended to be quantitatively measured by stack testing. Compliance shall be determined as stated in Specific Condition Number 10 and General Condition Number 19.

(9 VAC 5-50-260)

6. Emissions from the operation of each ash silos system (2) shall not exceed the limitations specified below:

Particulate Matter	0.07 lbs/hr	0.3 tons/yr
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(9 VAC 5-50-260)

7. Emissions from the operation of each coal storage bunker (6) shall not exceed the limitations specified below:

Particulate Matter	0.005 lbs/hr	0.009 tons/yr
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(9 VAC 5-50-260)

8. SO₂ emissions from the six (6) boilers (1A, 1B, 1C, 2A, 2B, and 2C) shall be controlled by a flue gas desulphurization system. The flue gas desulphurization system shall be considered operational when all notifications have been made and the CEMS have been certified. The flue gas desulphurization system shall be provided with adequate access for inspection and shall be in operation as required to meet the permit limits specified in condition #4.

(9 VAC 5-50-280)

9. Particulate emissions from the six steam generators shall be controlled by a baghouse rated at 99.1 percent efficiency. The baghouse shall be provided with adequate access for inspection.
(9 VAC 5-50-280)
10. Particulate emissions from the barge unloader, coal storage load-in and coal storage shall be controlled by wet suppression with surfactant.
(9 VAC 5-50-260)
11. Particulate emissions from the coal bunkers and ash systems shall be controlled by bagfilters and multiclones followed by bagfilters, respectively. The bagfilters and multiclones shall be provided with adequate access for inspection.
(9 VAC 5-50-260)
12. The approved fuel for the six steam generators is bituminous coal. A change in the fuel may require a permit to modify and operate.
(9 VAC 5-50-280)
13. The average sulfur and ash content of the coal to be burned in the boilers shall not exceed 2.0 percent and 11.0 percent by weight, respectively, per shipment.

Cogentrix Virginia Leasing Corporation shall maintain records of all coal shipments purchased, indicating sulfur and ash content per shipment. These records shall be available for inspection by the Board. They shall be kept on file for a period of at least two years.
(9 VAC 5-80-20)

14. In order to facilitate continuing compliance measurements, test ports shall be provided in both steam generator stacks.
(9 VAC 5-170-160)
15. Within the time limits specified in General Condition No. 4 of this permit, stack emission tests for particulates, nitrogen oxides from the two stacks shall be conducted. Stack tests for new or modified sources shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30 and the test methods and procedures contained in each applicable section or subpart listed in 9 VAC 5-50-410. At the same time, opacity tests, in accordance with 40 CFR, Part 60, Appendix A, Method 9, shall also be conducted on the two stacks. The details of the emission tests are to be arranged with the Director, Tidewater Regional Office.
(9 VAC 5-50-30, 9 VAC 5-80-10 J, and 9 VAC 5-50-410)
16. A continuous emission monitor shall be installed to measure and record the smoke opacity and nitrogen oxides emissions from each of the two boiler stacks. It shall be maintained and calibrated in accordance with 9 VAC 5-50-40.B.
(9 VAC 5-50-40)

17. Cogentrix Virginia Leasing Corporation shall comply with the reporting and record-keeping provisions of 40 CFR, Subpart Db, 60.46 b.
(9 VAC 5-50-40)
18. The dead coal storage pile shall be sprayed with a chemical binder as needed to prevent fugitive emissions.
(9 VAC 5-80-1180 and 9 VAC 5-170-160)

SO₂ CEMS

19. Continuous Emission Monitoring Systems, meeting the design specifications of 40 CFR Part 72, shall be installed to measure and record the emissions of sulfur oxides from the Foster Wheeler boilers (units 1A, 1B, 1C, 2A, 2B, and 2C) as lbs/MMBtu through measurement at the common stack. The CEMS shall be installed, calibrated, maintained, audited and operated in accordance with the requirements of 40 CFR 72. Data shall be reduced to units of lbs/MMBtu and compliance shall be evaluated on a 30-day rolling average basis.
(9 VAC 5-50-40)
20. **CEMS (Continuous Emission Monitoring System)/COMS (Continuous Opacity Monitoring System) Quality Control Program** - A CEMS/COMS quality control program that meets the requirements of 40 CFR 60.13 and Appendices B and F shall be implemented for all continuous monitoring systems.
(9 VAC 5-50-40, 40 CFR 75, Subpart B, § 75.10.b, 40 CFR 75, Appendix B)
21. **Reports for Continuous Monitoring Systems** - The permittee shall furnish written reports to the Director, Tidewater Region of excess emissions from any process monitored by a continuous monitoring system (COMS/CEMS) on a quarterly basis, postmarked no later than the 30th day following the end of the calendar quarter. These reports shall include, but are not limited to the following information:
 - a. The magnitude of excess emissions, any conversion factors used in the calculation of excess emissions, and the date and time of commencement and completion of each period of excess emissions;
 - b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the process, the nature and cause of the malfunction (if known), the corrective action taken or preventative measures adopted;
 - c. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
 - d. When no excess emissions have occurred or the continuous monitoring systems have not been inoperative, repaired or adjusted, such information shall be stated.
(9 VAC 5-50-50)

PART II - GENERAL CONDITIONS

1. Within 10 days after receiving this permit the permittee shall notify the Board (Director, Tidewater Regional Office) in writing of the estimated start-up date of the permitted facility. This notification is for administrative purposes only and need not be a firm date.
(9 VAC 5-50-50)
2. Quarterly reports on the progress of construction shall be submitted to the Director, Tidewater Regional Office, beginning January 15, 1987.
(9 VAC 5-50-50)
3. The permittee shall furnish written notification to the Board (Director, Tidewater Regional Office) of:
 - a. The actual date on which construction commenced within 30 days after such date.
 - b. The anticipated start-up date postmarked not more than 60 days nor less than 30 days prior to such date.
 - c. The actual start-up date within 15 days after such date.
 - d. The anticipated date of performance tests of the steam generators postmarked at least 30 days prior to such date.
(9 VAC 5-50-50)
4. Each emission point for which a stack test requirement is established in Part I of this permit shall be tested to determine compliance with the emission limits contained herein within 60 days after achieving the maximum production rate but in no event later than 180 days after start-up of the permitted facility. Compliance test results shall be reported to the Board (Director, Tidewater Regional Office) in writing within 45 days after test completion and shall conform to the test report format enclosed with this permit.
(9 VAC 5-50-30, 9 VAC 5-80-10 J, and 9 VAC 5-50-410)
5. The permitted facility shall be designed and constructed so as to allow emissions testing using the methods prescribed upon reasonable notice at any time.
(9 VAC 5-50-30 F)
6. All continuous monitoring systems and monitoring devices, as may be applicable for your source type, shall be installed and operational prior to conducting performance tests under 9 VAC 5-50-40. Performance evaluations of the continuous monitoring system must take place during the performance tests under 9 VAC 5-50-410 or within 30 days thereafter. The Board must be furnished with two copies of the report of the performance evaluations within 60 days of said evaluation.
(9 VAC 5-50-40 and 9 VAC 5-50-410)

7. The permittee shall retain records of all emission data and operating parameters required by the terms of this permit. These records shall be maintained by the source for a period of at least two years.
(9 VAC 5-50-50)
8. All air pollution control equipment operators shall be trained and certified in the proper operation of all such equipment. Cogentrix Virginia Leasing Corporation shall maintain records of the required training and certification. Certification of training shall consist of a statement of time, place and nature of training provided.
(9 VAC 5-50-20 E)
9. The company shall develop, maintain, and have available to all operators good written operating procedures for all air pollution control equipment. A maintenance schedule for all such equipment shall be established and made available to the State Air Pollution Control Board for review. Records of service and maintenance shall be maintained on file by the source for a period of two years.
(9 VAC 5-50-20 E)
10. The Board reserves the right to modify and, if appropriate, to reissue or to rescind this permit if prior to operation there is a substantive change to the design capacity or the fundamental nature of the process or control equipment such that the potential to emit of any facility is increased.
(9 VAC 5-80-10 K)
11. The Board reserves the right to modify and, if appropriate, to reissue or to rescind this permit if prior to operation there is a substantive change in any of the data upon which the decision to approve this permit was based.
(9 VAC 5-80-10 K)
12. All local zoning and building requirements must be met before commencing construction.
(9 VAC 5-80-1665)
13. If, for any reason, the permittee does not comply or shall not be able to comply with the emission limitations or other conditions specified in this permit, the permittee shall provide in writing to the Board (Director, Tidewater Regional Office) the following information as soon as possible but no later than five days after such conditions become known to the permittee:
 - a. description of noncompliance;
 - b. cause of noncompliance;
 - c. anticipated time the noncompliance is expected to continue or, if corrected, the actual duration of noncompliance;
 - d. steps taken by the permittee to minimize or eliminate the noncompliance; and
 - e. steps taken by the permittee to prevent recurrence of the noncompliance.

Submittal of this report does not constitute a waiver of the emission limitations or other conditions of this permit nor does it in any way restrict the SAPCB's authority to enforce the permit conditions pursuant to Section 113 of the Clean Air Act.

(9 VAC 5-20-180 B)

14. The permitted facility shall be constructed and operated as represented in the permit application referenced in Condition 2 of Part I. No changes in the permit application specifications or any existing facilities shall be made which alter the emissions into the ambient air or alter the impact of the facility on air quality without the prior written approval of the Board.
(9 VAC 5-20-180 B)
15. The facility shall operate in compliance with Rule 5-3, Non-Criteria Pollutants. No changes in the facility that alter emissions of any non-criteria pollutant or cause the emission of additional non-criteria pollutants shall be made without the prior written approval of the Board.
(9 VAC 5-20-180 I)
16. This approval shall become invalid if construction of the proposed plant is not commenced within 18 months of the date of this permit or if it is discontinued for a period of 18 months.
(9 VAC 5-80-1210)
17. In the event of any change in control of ownership of the permitted source, the permittee shall notify the succeeding owner of the existence of this permit by letter and send a copy of that letter to Director, Tidewater Regional Office.
(9 VAC 5-170-160)
18. The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of that provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
(9 VAC 5-80-10 K)
19. This permit approval is only applicable to the permit requirements of the State Air Pollution Control Board and does not alter permit requirements by any other local, state, or federal government agency. Cogentrix Virginia Leasing Corporation is cautioned that approval of this permit should not be construed to mean its operation is automatically in compliance with all aspects of the Regulations for the Control and Abatement of Air Pollution. State Air Board personnel shall be constantly evaluating all sources for compliance with Part V, 9 VAC 5-50-60 - Standard for Visible Emissions, 9 VAC 5-50-80 -Standard for Fugitive Dust/Emissions, and 9 VAC 5-50-140 -Standard for Odorous Emissions. Compliance with all air pollution regulations must be a continuing, full time effort.
(9 VAC 5-80-1180)

20. Annual requirements to fulfill legal obligations to maintain current stationary source emissions data shall necessitate your response to requests for information to include, as appropriate: fuel consumption by type, heat value, sulfur and ash content; process and production data; refuse disposal by incineration including auxiliary fuels burned; storage, handling and use of liquid organic compounds; and, changes in stack data, control equipment, and operating schedules. Such requests for information from the Regional Office shall either be in writing or by personal contact of field enforcement personnel. Emissions data provided to the Board by a source must be made available to the public upon request; process data for individual facilities and plants shall be made available to the public upon request unless the source claims, in writing, the information is proprietary and that it should be held as confidential.
(9 VAC 5-50-1180)

PART III - DOCUMENT LIST

1. Cogentrix Virginia Leasing Corporation permit application signed by Mr. Donald Dowling, dated March 25, 1986.
2. State Air Pollution Control Board Region VI, engineering analysis, dated April 18, 1986.
3. Ambient Air Modeling Report by Duke Power Company, dated October 14, 1986 and revised October 21, 1986.
4. State Air Pollution Control Board Region VI, final engineering assessment, dated November 10, 1986.
5. Prevention of Signification Deterioration Letter of Determination, dated May 13, 1986 and signed by John M. Daniel, Jr.
6. Memorandum from State Air Pollution Control Board Engineer, V. M. Pawar to Director, Division of Computer Services, dated November 10, 1986 with the modeling results from Cogentrix, Incorporated.

SOURCE TESTING REPORT FORMAT

Report Cover

Plant name and location
Units tested at source (indicate Ref. No. used by source in permit or registration)
Test Dates.
Tester; name, address and report date

Certification

Signed by team leader/certified observer (include certification date)
Signed by responsible company official
*Signed by reviewer

Copy of approved test protocol

Summary

Reason for testing
Test dates
Identification of unit tested & the maximum rated capacity
*For each emission unit, a table showing:
 Operating rate
 Test Methods
 Pollutants tested
 Test results for each run and the run average
 Pollutant standard or limit
Summarized process and control equipment data for each run and the average, as required by the test protocol
A statement that test was conducted in accordance with the test protocol or identification & discussion of deviations, including the likely impact on results
Any other important information

Source Operation

Description of process and control devices
Process and control equipment flow diagram
Sampling port location and dimensioned cross section Attached protocol includes: sketch of stack (elevation view) showing sampling port locations, upstream and downstream flow disturbances and their distances from ports; and a sketch of stack (plan view) showing sampling ports, ducts entering the stack and stack diameter or dimensions

Test Results

Detailed test results for each run
*Sample calculations
*Description of collected samples, to include audits when applicable

Appendix

*Raw production data
*Raw field data
*Laboratory reports
*Chain of custody records for lab samples
*Calibration procedures and results
Project participants and titles
Observers' names (industry and agency)
Related correspondence
Standard procedures

* Not applicable to visible emission evaluations

DRAFT PERMIT APPROVAL FORM

Department of Environmental Quality
Tidewater Regional Office
5636 Southern Blvd.
Virginia Beach, Virginia 23462

Instructions:

The "Draft Permit Approval Form" provides the owner or certified company official an opportunity to accept or suggest appropriate changes to a draft permit. If a signed form is not received within one (1) week of the date of receipt of the draft permit, DEQ will assume that the draft permit is considered acceptable and will proceed with processing the permit. **Please check the applicable statement(s) below after thoroughly reviewing the draft permit. Forms may be returned by facsimile to 757-518-2009.**

Attention: Cindy Keltner or Ms. Jane A. Workman.

_____ The owner or certified company official agrees with the conditions of the draft permit dated _____. Please proceed to issue the permit with no change.

_____ The owner or certified company official finds condition number(s) _____ of the draft permit dated _____ unacceptable.

_____ The suggested changes are attached for your consideration.

_____ The owner or certified company official requests further discussion with DEQ regarding the above referenced condition(s).

Signature: _____

Name: _____

Title: _____

Facility: _____

Date: _____